

**Docket No.: 213.1207** 

## UNITED STATES PATENT & TRADEMARK OFFICE

Examiner: Unknown

Art Unit: Unknown

Applicant:

Hong Zhao, et al.

Serial No .:

10/705,740

Filed

November 11, 2003

For:

PRODRUGS OF VANCOMYCIN WITH HYDROLYSIS RESISTANT POLYMER LINKERS

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 January 13, 2004

Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO-1449 (1 page), which lists references which Applicants are aware of for this application. It is noted that Applicants have not enclosed a copy of the U.S. patent cited on form PTO-1449.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserves the right to contend, where appropriate, that a patent asserted against any claim of the present application is not prior art under the facts and the law.

Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

This Information Disclosure Statement is filed within three (3) months of the filing date of this application and before the mailing of a first Office Action on the merits. Accordingly, this document complies with the requirements of 37 C.F.R. §1.97(b). It is respectfully requested that the references cited in the accompanying PTO-1449 Form be considered and made of record.

Respectfully submitted,

MUSER JIAN, LUCAS & MERCANTI, LLP

Sapna Gadhia

Registration No. 48,978

MUSERLIAN, LUCAS & MERCANTI, LLP

475 Park Avenue South New York, NY 10016

Phone: 212-661-8000 Fax: 212-661-8002 I hereby certify that this correspondence and/or fee is being deposited with the United States
Postal Service as first class mail in an envelope

addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, YA 22313-1450"

on January 13, 2004

MUSERLIAN, LUCAS & MERCANTI, LLP

BY: Saona Gadhia

						213.1207			10/705,740		
01	ME		ATION DISCLOSUR			Applicant(s) Hong Zhao, et al.			<u>-</u>		
JAN Ü 5 2004						Filing Date			Group Art Unit		
JAN 1	5 2004	<u>a</u>		70.		N vember 11, 2003 Unknown					
EXAMINATE INITIAL	- AV	<u> </u>			U.S. PAT	ENT DOCUMENTS	<del></del>		Т		
EXAME	REF		DOCUMENT NUMBER	DATE	NAME		CLASS	SUBCLASS	FILING DATE  IF APPROPRIATE		
	A1	5,68	31,811	10/28/1997	Ekwuribe				07/31/1995		
		_									
									_		
	<u> </u>	<u> </u>			<u> </u>			<u> </u>	Ì	-	
	•				FOREIG	N PATENT DOCUMEN	NTS				
	REF		DOCUMENT NUMBER	DATE	COUNTRY		CLASS	SUBCLASS	Translation		
	A2	WC	07/04706	02/13/1007					YES	NO	
	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	WO 97/04796		02/13/1997	PCT				<u> </u>		
	А3	WC	0 03/040211 A2	05/15/2003	PCT						
		<del> </del>									
									<u></u>	<u> </u>	
			<b>TO STATE OF THE S</b>			•	iding Author, Title			nned with	
						oxic Activity of Conjugates of Monomethoxy-Poly-(ethylene glycol) End-Capped with s Base Bond, Journal of Bioactive and Compatible Polymers, Vol. 10-January 1995					
	A4 pages 51-00.										
					<u></u>					_	
					· · · · · · · · ·	T					
EXAMINER						DATE CONSIDERED					
EXAMINI	ER: Init	ial if c	itation considered, whethe	er or not citation is in	n conformar	L nce with MPEP Section	609; Draw line thr	ough citation if no	ot in conform	nance and	
not consid	ered. I	nclude	copy of this form with ne	xt communication to	applicant.						
Form PTC	)-A820				Patent and Trademark Office * U.S. DEPARTMENT OF COMMERCE						